



**Sterne Kessler
Goldstein Fox**

ATTORNEYS AT LAW



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbalà
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Jeffery T. Helvey*
Heldi L. Kraus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferro*
Donald R. Banowitz
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II*
Eldora Ellison Floyd
W. Russell Swindell

Thomas C. Fiala
Brian J. Del Buono*
Virgil Lee Beaton*
Reginald D. Lucas*
Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham*
Christine M. Lhullier
Rae Lynn Prensaman*
Jane Shershenovich*
Lawrence J. Carroll*

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III

Registered Patent Agents
Karen R. Markowicz
Andrea J. Kamage
Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson*
Gaby L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung

*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

March 11, 2002

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MAR 19 2002

WRITER'S DIRECT NUMBER:

(202) 371-2560

INTERNET ADDRESS:

RESMOND@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

Art Unit 1655

Re: U.S. Utility Patent Application
Appl. No. 09/666,890; Filed: September 20, 2000
For: **Nucleic Acid Marker Ladder for Estimating Mass**
Inventor: James L. Hartley
Our Ref: 0942.2570003/RWE/AGU

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.111;
3. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Copy of Request to Open New Disk File;
5. Paper copy of Sequence Listing; and
6. Copy of postcard receipt date stamped September 20, 2000, showing copy of Request to Open New Disk File and 4 pages of a paper copy of the Sequence Listing;
7. Our check no. 34420 for \$2020.00 to cover: \$400.00 Extension of time fee; and \$1620.00 Excess claims fee; and
8. Return postcard.

Commissioner for Patents

March 11, 2002

Page 2

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicant
Registration No. 32,893

RWE/AGU/jk
Enclosures

PAUSERSVANGIE\0942\2570003\257-3-amdn-eot-transmltr-030602
SKGF Rev. 2/15/02 dcw

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

Application Number	09/666,890
Filing Date	September 20, 2000
First Named Inventor	James HARTLEY
Examiner Name	E. Whisenant
Group Art Unit	1655
Attorney Docket No.	0942.2570003/RWE/AGU

TOTAL AMOUNT OF PAYMENT (\$)2020.00

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036
Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Credit card ☐ Money Order ☒ Other*
*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Extra	Fee from below	Fee Paid
<u>68</u> - 20** = <u>48</u>	X	<u>18</u>	= <u>864.00</u>
Indep. Claims <u>12</u> - 3** = <u>9</u>	X	<u>84</u>	= <u>756.00</u>
Multiple Dependent		<u>0</u>	= <u>0</u>

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim
108	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 1620.00

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	460	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	980	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or reissue)
143	460	243	230	Design issue fee
144	620	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	130	123	130	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	481	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify) :

Other fee (specify) :

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 400.00

SUBMITTED BY

Name (Print/Type) Robert W. Esmond
Signature Robert W. Esmond

Registration No. (Attorney/Agent) 32,893
Telephone 202-371-2600
Date March 11, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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E. Whisenant
3-17-02

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In re application of:

James HARTLEY

Appl. No. 09/666,890

Filed: September 20, 2000

For: **Nucleic Acid Marker Ladder for
Estimating Mass**

Art Unit: 1655

Examiner: E. Whisenant

Atty. Docket: 0942.2570003/RWE/AGU

Amendment and Reply Under 37 C.F.R. § 1.111

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Office Action dated October 19, 2001 (PTO Prosecution File Wrapper Paper No. 8), Applicant submits the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. *See* 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under

03/14/2002 HIGHWATER 00000001 09666890

02 FC:103
03 FC:102

AC:1.00 OP
700.00 OP